

REMARKS

Applicants' counsel appreciates the courtesy extended by Examiner Webman to discuss the claim language on August 4, 2005.

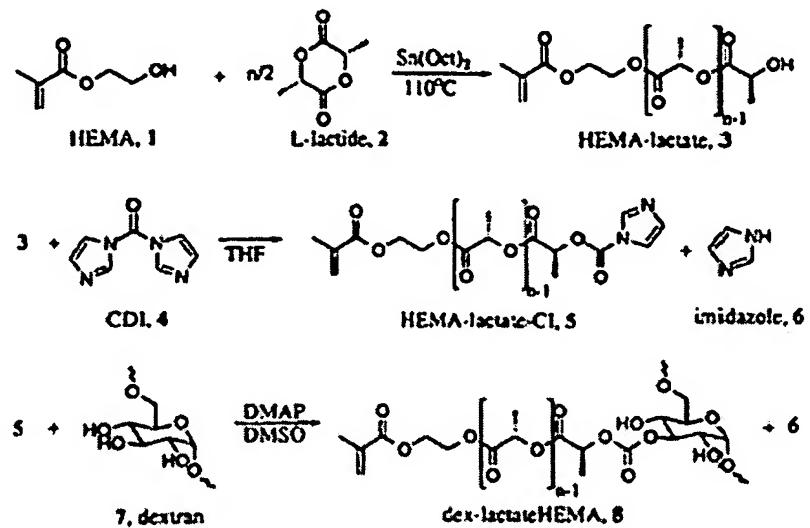
Claims 9, 11-17, 19-21, 23-24, and 27-41 are now pending. Claim 9 has been amended to merely clarify that the crosslinked unit comprises two components. Claim 11 has been amended to further describe that the carbonate ester bond forms from coupling the polymer backbone to the crosslinked units using a carbonyl di-imidazole. Claims 13 and 14 have been amended to define that the non-crosslinked polymer backbones are water soluble. Claim 21 has been further amended to clarify that the cross-linkable polymer is a composition which has two components identified as a) and b). Claims 27-29 and 31-34 have been amended to clarify the claim language based on the paragraph bridging pages 5 and 6 and page 8, first paragraph of the application. New claims 40-42 have been added. Support for claim 40 is found, for example, on page 7, lines 26-27 of the present specification. Support for claim 41 is found, for example, on page 8, line 14. No new matter has been added.

Applicants traverse the rejection of claims 9, 11-14, 16-17, 19-21, 23-24, 27-29, 31-34, and 36-39 under 35 U.S.C. § 112, second paragraph as being allegedly indefinite.

The Examiner objects to claims 9 and 21 with respect to the acrylate, methacrylate, and/or hydroxyalkyl methacrylate groups. Applicants respectfully submit that a skilled artisan would understand the polymer as defined in claims 9 and 21 based on the examples in the present application. Nonetheless, claims 40 and 41 have been added which define the groups as pendant or terminal.

Regarding claim 11, the claim has been amended to further clarify that carbonyl di-imidazole is used as a coupling agent to form the carbonate ester bond. In addition, a new method claim 42 has been added to further clarify the steps of the method. It is respectfully submitted that a skilled artisan would understand how the hydrogel would be formed, for example, looking at page 8, lines 26-30 and Example 1 of the present application. Nonetheless, applicants have

submitted herewith an exemplary reaction mechanism showing how hydroxyethyl methacrylate and lactide form a crosslinked polymer with dextran using carboxyl di-imidazole:



Claims 13 and 14 have been amended to refer to the polymer backbone, in a non-crosslinked form, is water soluble.

Finally, claim 29 further limits claim 24 because claim 24 is directed to a cross-linkable polymer composition and claim 29 is directed to a crosslinked polymer made from such a composition.

Thus, in view of the amendments and arguments above, it is respectfully submitted that the present claims are in condition for allowance.

Applicants gratefully acknowledge the Examiner's indication that all of the claims are free of art.

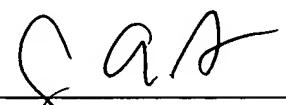
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is

determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 313632000501. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: Aug 11, 2005

Respectfully submitted,

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